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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Argy Petros

Application No. 10/709,511

Examiner: Wimer, Michael C.

Filed: May 11, 2004

Group Art Unit: 2828

For: ANTENNA WITH PARASITIC RINGS

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE
TO RECEIVE OFFICE ACTION UNDER 37 CFR 1.181(a)
OR
PETITION TO REVIVE ABANDONED APPLICATION UNDER 37 CFR 1.137(b)**

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA, 22313-1450, or sent via facsimile transmission to facsimile no. 571-273-8300 on October 9, 2006.

/Pablo Meles/ Reg. No. 33,739
Pablo Meles

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby petitions under 37 CFR §1.181(a) for **withdrawal of the holding of abandonment** or, in the alternative, petitions to revive the application under 37 CFR. §1.137(b).

After not receiving a written communication reply from the Patent Office, responsive to applicant's Response to the Non-Final Office Action filed on September 15, 2005, the undersigned attorney proceeded on August 28, 2006, to verify the status of the case on PAIR realizing only then that a Final Office Action dated November 28, 2005 and a Notice of Abandonment dated June 21, 2006 had been sent to the Applicant's registered address and returned to the U.S. Patent and Trademark Office.

All of the above was due to the fact that the Applicant moved from the registered address and the period of time that the U.S. Postal Service for the Forwarding Services expired to have his mail delivered to his new address. On the other hand, Applicant nor the attorney herein (who

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Appln. No. 10/709,511
Petition dated October 9, 2006
Docket No. 7945-1

OCT 09 2006

responded to the last office action) failed to receive any courtesy call from the examiner to confirm whether the application was voluntarily being abandoned.

Therefore, Applicant submits herewith a Petition to Withdraw Holding Abandonment and also submit herewith a response to the Final Office Action. A copy of the Return Notice stamped July 5, 2006 is enclosed. The notice states that "Forward Time EXP RTN TO SEND....RETURN TO SENDER". In addition, a copy of the status of our docketing report is included.

Note, a Petition under 37 CFR 1.118(a) requesting withdrawal of the holding of abandonment as requested herein does not require a fee.

Since a reply to the Office Action is being filed it is respectfully request that the application is not deemed abandoned. Applicant requests that the Petition be granted and the Amendment be deemed to have been timely filed. Applicant thus hereby requests that the Amendment provided herein in response the Office Action of November 28, 2005 that the Applicant has retrieved from Public PAIR be accepted, that the notice of Abandonment be withdrawn, and that the above identified application proceeds.

If the Petition herein is denied, Applicants hereby alternatively Petition for Revival of the applicant under 37 C.F.R. §1.137(b). Applicant hereby declares that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 C.F.R. §1.137(b) was unintentional. As stated previously, this paper is being filed accompanied by a Response to the Final Office Action dated November 28, 2005. Applicant requests that this amendment be entered, and that the application proceeds. Authorization is hereby granted to charge the Petition fee of \$750.00 to Deposit Account No. 50-0951, if deemed necessary.

Applicants request confirmation of the granting of this petition, the removal of the holding of abandonment in writing, and prosecution of the application to take place as soon as possible.

Respectfully submitted,

Date: October 9, 2006

Docket No. 7945-1

/Pablo Meles/
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T-471 P.011/014 F-291

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,511	05/11/2004	Argy Petros		3510
36988	7590	06/21/2006	EXAMINER	
THINK WIRELESS, INC. 6208 GRAND CYPRESS CIRCLE LAKE WORTH, FL 33463			WIMER, MICHAEL C	
			ART UNIT	PAPER NUMBER
			2828	

DATE MAILED: 06/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

OCT 09 2006

Notice of Abandonment

Application No.

10/709,511

Examiner

Michael C. Wimer

Applicant(s)

PETROS, ARGY

Art Unit

2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 28 November 2005.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____, but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.65(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



Michael C. Wimer
Primary Examiner
Art Unit: 2828

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Country Application

Monday, October 09, 2006

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Docket Number: 07945-0001	Country: US	SubCase:
Client: Think Wireless, Inc.	United States of America	
Case Type: ORD	Billing Number: 00-00	
Application Status: Pending	Filing Date: 11-May-2004	
Application Number: 10/709511	Publication Date:	
Publication Number:	Issue Date:	
Patent Number:	Parent/PCT Date :	
Parent/PCT Number:	Parent Issue Date :	
Parent Issue Number:	Expiration Date:	
Tax Schedule: SE	Patent Term Adjustment: 0	
Confirmation #: 3510	Agent Reference #:	
Agent:		

Family Reference:

List Of Actions

Action(s) Due	Due Date		Action Taken
Resp To OA Due In 1 Month	30-Aug-2005	Reminder	30-Aug-2005
Resp to OA Due 9/30	16-Sep-2005	Reminder	14-Sep-2005
Resp to OA Due 9/30	23-Sep-2005	Reminder	15-Sep-2005
Resp To OA Due Today	30-Sep-2005	Due Date	15-Sep-2005
(4) Resp To OA (+1)	30-Oct-2005	Due Date	15-Sep-2005
(5) Resp To OA (+2)	30-Nov-2005	Due Date	15-Sep-2005
(6) Resp To OA (+3) In 2 Weeks	16-Dec-2005	Reminder	15-Sep-2005
(6) Resp To OA (+3) Today	30-Dec-2005	Final	15-Sep-2005
Status of Application	15-Mar-2006	Due Date	14-Mar-2006
Status of Application	15-Sep-2006	Due Date	11-Sep-2006
Status of Application	29-Sep-2006	Due Date	27-Sep-2006
Status of Application	13-Oct-2006	Due Date	06-Oct-2006
Status of Application	27-Oct-2006	Due Date	

Country Application

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User ID: SLarsen

Date Created: 03-Aug-2005

Last Update: 03-Aug-2005